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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,792	03/01/2000	Steven H. M. Wallman	10392/46701	2856

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 08/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

1. Claims 1-87 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-87 are rejected under 35 USC 103(a) as unpatentable over Hawkins(US Pat. No: 6,247,000) in view of Garber(US Pat. No: 5,963,923) and further in view of Kramer(US Pat. No: 6,324,525).

4. As per claims 1-87 Hawkins teaches a system for confirmation and settlement for financial transactions matching(Abstract)(Figs 1-30)(col 4 line 20-col 5 line 28) as well as a share based transaction(Fig 9) as well as currency based transactions(Fig 14).Garber teaches an electronic brokerage and trading network(Abstract) for a plurality of financial instruments(Figs 1-10)(col 3 line 41-col 5 line 6) and transactions(Fig 9). Kramer teaches netting financial transactions periodically(Abstract)(Fig 43)(Fig 16)(Fig 40) in currencies(Fig 20B) and maintaining a transaction log(Fig 21A/2180) and cache(Fig 21B) with a payment management module(Fig 27). It would have been obvious to one skilled in the art at the time of the invention to combine Hawkins in view of Garber and further in view of Kramer to teach the disclosure. The motivation

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to combine Hawkins in view of Garber is to teach financial transactions matching utilizing the best aspects of a combined trader and broker function who makes a two-sided bid/offer market as enunciated by Garber(col 3 lines 45-50).Also, the motivation to combine Hawkins in view of Garber and further in view of Kramer is to teach financial transactions matching utilizing the best aspects of a combined trader and broker function who makes a two-sided bid/offer market for netting trades as enunciated by Kramer(col 4 lines 57-67).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 11,22,40,62,85 are also rejected under 35 USC 112 as failing to define the invention to enable one skilled in the art to utilize it. In particular it is necessary to provide the derivation,underlying assumptions and limitations on the presented equations.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 12-23 are also rejected under 35 USC 101 forfailing to define a concrete,useful and tangible output.

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Conclusion

9. **THIS ACTION IS MADE NON-FINAL.**

10. Any questions concerning this communication should be addressed to the acting-SPE of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the undersigned are unsuccessful, the superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.



August 19, 2003

GEORGE R. AKERS, P.E.
BY EXAMINER